

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

MARIA CASANOVA,

Plaintiff,

vs.

**STANLEY ACCESS TECHNOLOGIES
LLC,**

Defendant.

8:19CV199

ORDER

This matter comes before the Court on Plaintiff's motion to extend expert disclosure deadlines. ([Filing No. 69](#)). Plaintiff timely disclosed an expert on August 12, 2021. After Defendant's review of Plaintiff's expert disclosure, Defendant identified deficiencies and agreed to extend Plaintiff's expert disclosure deadline to August 23, 2021, so that Plaintiff could correct the deficiencies. Plaintiff's expert subsequently provided Plaintiff with a list of items the expert would need to give full and complete opinions. Plaintiff has served subpoenas to obtain documents from third parties that Plaintiff represents are needed by her expert. Because the time of compliance for the subpoenas is September 30, 2021, Plaintiff requests a reasonable extension after receiving the documents for her expert to provide a full and final report. Plaintiff requests a mutual extension of Defendant's expert disclosure deadline. ([Filing No. 69](#)). Defendant opposes the motion due to how long this case has been pending and because the discovery sought by Plaintiff in the subpoenas appears to be largely repetitive of prior discovery. Defendant believes the extension will cause an unnecessary delay in the case. ([Filing No. 72](#)).

After review, the court finds Plaintiff has established good cause justifying a brief extension of the expert disclosure deadline. See [Fed. R. Civ. P. 16\(b\)\(4\)](#). Plaintiff did not delay in serving subpoenas and filing this motion to extend after learning her expert required additional documents to prepare a full report. Extending Plaintiff's expert disclosure deadline to October 15, 2021, and the defendant's deadline to November 15, 2021, would not require extending any other case progression deadlines, as the written discovery and deposition deadlines do not expire until December 16, 2021, and the dispositive motion deadline does not expire until January 16, 2022. As such, granting Plaintiff's requested extension would not prejudice Defendant.

Conversely, if Plaintiff's extension was not granted, she would effectively be prohibited from offering any expert testimony. Under the circumstances,

IT IS ORDERED: Plaintiff's Motion to Extend ([Filing No. 69](#)) is granted. The deadline for identifying expert witnesses and completing expert disclosures is extended to October 15, 2021, for the plaintiff and to November 15, 2021, for the defendant.

Dated this 27th day of August, 2021.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge